

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

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CITY COUNTY COUNCIL

PROPOSAL NO. 132, 2016

CITY OF INDIANAPOLIS-MARION COUNTY, INDIANA

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INTRODUCED: 03/21/2016

REFERRED TO: Administration and Finance Committee

SPONSOR: Councillor Simpson

DIGEST: amends Chapter 192 of the Code regarding compensation to add Article V regarding travel expenses

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SOURCE:

Initiated by: Office of Finance and Management

Drafted by: Toae Kim, Assistant Corporation Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: \_\_\_\_\_

Date: March 17, 2016

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CITY-COUNTY GENERAL ORDINANCE NO. , 2016

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 192 of the Code regarding compensation to add Article V.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article V to Section 192 of the "Revised Code of the Consolidated City and County," regarding compensation, hereby is created by the addition of the language below to read as follows:

**ARTICLE V. – TRAVEL EXPENSES**

**Sec. 192-501. Application of article.**

This article applies to any department, office or agency of the city and county. The Controller of the City of Indianapolis - Marion County is authorized to set policies and procedures for the travel allowances of travelers conducting City/County business. These rules may allow reimbursement for travel expenses by any of the following methods:

- (A) Per diem.
- (B) For expenses necessarily and actually incurred.
- (C) Any combination of the methods in clauses (A) and (B).

The policy must require the approval of the travel by the head of the officer's or employee's department prior to payment.

**Sec. 192-502. Definitions.**

*Subsistence allowance* means a set amount for which a traveler may be reimbursed to defray the cost of meal expenses incurred during authorized travel status.

*Travel expense* means the costs of transportation, and lodging. The term includes actual travel expenses or an amount approximating those expenses that would be allowed by travel policies and procedures authorized by the City Controller.

*City/County* means the Consolidated City of Indianapolis and Marion County.

*City/County business* means permitted lawful activity by a City or County traveler on behalf of the City or County or an Agency, which advances or is reasonably calculated to advance the goals and purposes of the City or County or Agency on whose behalf the activity is undertaken.

*City/County travel* means travel by a traveler who is engaged in the performance of City or County business on a trip away from the individual's home or station.

*Traveler* means ~~a person, whether an employee of the Consolidated City of Indianapolis — Marion County, or of Marion County, an elected official, or member of any council, commission or board thereof, who is in travel status.~~ a City-County employee, commission or board member, a person under contract with the City/County, and all others previously approved, who is in travel status.

*Travel allowances* means the rates of reimbursement and per diem established for City/County travelers by the Controller.

*Travel status* means that period of time between the start of the travel by a Traveler who has started to travel on City or County Business, whether or not travel expenses will be reimbursed by the City/County and the conclusion of the travel.

#### **Sec. 192-503. Travel reimbursement.**

If a traveler has been properly authorized for City/County travel by statute or by permission of the department head, the traveler may be reimbursed for travel expenses in accordance with this Chapter and pursuant to policies that shall be established by the Office of Finance and Management.

#### **Sec. 192-504. Subsistence allowance.**

If a traveler has been properly authorized for City/County travel by statute or by permission of the department head, the traveler is entitled to a subsistence allowance in accordance with this Chapter and pursuant to policies that shall be established by the Office of Finance and Management.

Subsistence may not be claimed for same day travel. Overnight travel must be involved in order to claim subsistence.

Rates for partial days of travel shall be determined by the travel policies established by the Office of Finance and Management.

If a meal is provided as part of the events for which the travel occurs, then the traveler shall not receive subsistence reimbursement for that meal.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

The foregoing was passed by the City-County Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ p.m.

ATTEST:

\_\_\_\_\_  
Maggie A. Lewis  
President, City-County Council

\_\_\_\_\_  
NaTrina DeBow  
Clerk, City-County Council

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2016, at 10:00 a.m.

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NaTrina DeBow  
Clerk, City-County Council

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Joseph H. Hogsett, Mayor